UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _03 May 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _03 May 2007_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

1.   In the amendment filed 3 May 2007, the following has occurred: claims 2-3, 5, 9-10, 12,

and 15 have been amended.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign
> country or in public use or on sale in this country, more than one year prior to the date of
> application for patent in the United States.

2.   Claims 1, 8, and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein,

U.S. Patent No. 5,404,509.

3.   As per claim 1, Klein teaches the method for web-based claim processing comprising:

identifying at least one audit claim, i.e. an audit is conducted by selecting a project (see column

5, line 59 of Klein), wherein the at least one audit claim comprises at least one of a claim type, a

claim amount, and a claim date, i.e. the audit list indicates the name of the audit file, the name of

the database that was audited, the date of the audit, and the overall accuracy of the result of the

audit (see column 12, lines 34-37 of Klein); electronically associating the at least one audit claim

to one or more documents associated with the at least one audit claim, i.e. the source material is

referenced and checked against the database records (where the source material is equivalent to

the documents and the audit claim is equivalent to the database records)(see column 6, lines 21-

22 of Klein); storing the at least one audit claim and the one or more associated documents, i.e.

the project also stores the results of audits that have either been initiated from within the project

or ones which the user adds to the project at a later date (see column 12, lines 17-21 of Klein);

and making the at least one audit claim and the one or more associated documents available for

review electronically, i.e. if images are available that correspond to the database records, the

entire review process of the audit can be conducted completely on-line (see column 6, lines 19-

23 of Klein).

4.   As per claim 8, Klein teaches the method for web-based claim processing, comprising:

obtaining electronic versions of documents relating to an audit, i.e. electronic images that

represent the source material for the records in a database are available (see column 6, lines 13-

15 of Klein); identifying at least one audit claim based at least in part on the documents, i.e. the

database auditor selects the sample to audit and the database is compared to the corresponding

source material (see column 5, lines 62-63 and 67-68 of Klein); wherein the at least one audit

claim comprises at least one of a claim type, a claim amount, and a claim date, i.e. the audit list

indicates the name of the audit file, the name of the database that was audited, the date of the

audit, and the overall accuracy of the result of the audit (see column 12, lines 34-37 of Klein);

generating an electronic record of the at least one audit claim, i.e. electronic images that

represent the source material for the records in a database are available (see column 6, lines 13-

15 of Klein); electronically associating the electronic record for the at least one audit claim to

one or more of the documents, i.e. electronic images that represent the source material for the

records in a database are available for the review process (see column 6, lines 13-16 of Klein);

storing the at least one audit claim and the one or more associated documents, i.e. the project also

stores the results of audits that have either been initiated from within the project or ones which

the user adds to the project at a later date (see column 12, lines 17-21 of Klein); and making the

at least one audit claim and the one or more associated documents available for review remotely over a network, i.e. the entire review process of the audit can be conducted completely on-line (see column 6, lines 20-23 of Klein).

5.   As per claim 10, Klein teaches the method of claim 8 as described above. In addition, Klein further teaches the method of delivering notice to a claimant of the accessibility of the at least one audit claim and the one or more associated documents, i.e. the database auditor presents the sample to the user in a standardized set of reports or on-line forms (see column 5, lines 62-64 of Klein).

6.   As per claim 11, Klein teaches the method of claim 8 as described above. In addition, Klein further teaches the method of receiving from a claimant one or more of approval, comment and modification relating to the at least one audit claim, i.e. the user then determines the number of errors contained in the sample and communicates this information to the database auditor (see column 6, lines 24-26 of Klein).

7.   As per claim 12, Klein teaches the method of claim 8 as described above. In addition, Klein further teaches the method of delivering notice to a vendor of the accessibility of the at least one audit claim and the one or more associated documents, i.e. the database auditor presents the sample to the user in a standardized set of reports or on-line forms (see column 5, lines 62-64 of Klein).

8.   As per claim 13, Klein teaches the method of claim 8 as described above. In addition, Klein further teaches the method of receiving from a vendor one or more of approval, comment and modification relating to the at least one audit claim, i.e. the user then determines the number

of errors contained in the sample and communicates this information to the database auditor (see

column 6, lines 24-26 of Klein).

9.   As per claim 14, Klein teaches the method of claim 8 as described above. In addition,

Klein further teaches the method of receiving from a vendor a document relating to at least one

audit claim, i.e. any data entered into a database must come from an original source, and

validating the contents of a database means going to that source and double-checking the

contents of the records selected for the sample with the original material (in order to perform an

audit, the original documents must have been received from an entity requesting the audit)(see

column 2, lines 36-41 of Klein).

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

11.   Claims 2-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein,

U.S. Patent No. 5,404,509, in view of Goldman et al., U.S. Patent No. 5,684,951.

12.   As per claim 2, Klein teaches the method of claim 1 as described above. However, Klein

does not explicitly teach the method of providing secure access via the Internet browser.

Goldman et al., however, does teach the method of providing secure access to the at least one

audit claim and the one or more associated documents via an Internet browser, i.e. the present

invention provides a user authentication system that offers security of access even if a user

password or identification is stolen (see column 1, lines 36-40 of Goldman et al.). It would have

been prima facie obvious to one of ordinary skill in the art at the time of the invention to

incorporate this feature into the method of Klein. One of ordinary skill in the art would have

been motivated to incorporate this feature to reduce the amount of unauthorized entry (see

column 11, lines 36-37 of Goldman et al.).

13.   As per claim 3, Klein and Goldman et al. teach the method of claim 2, as described

above. Klein further teaches the method of delivering notice to a claimant of the accessibility of

the at least one audit claim and the one or more associated documents, i.e. the database auditor

presents the sample to the user in a standardized set of reports or on-line forms (see column 5,

lines 62-64 of Klein).

14.   As per claim 4, Klein and Goldman et al. teach the method of claim 2, as described

above. Klein further teaches the method of receiving from a claimant one or more of approval,

comment and modification relating to the at least one audit claim, i.e. the user then determines

the number of errors contained in the sample and communicates this information to the database

auditor (see column 6, lines 24-26 of Klein).

15.   As per claim 5, Klein and Goldman et al. teach the method of claim 2, as described

above. Klein further teaches the method of delivering notice to a vendor of the accessibility of

the at least one audit claim and the one or more associated documents, i.e. the database auditor

presents the sample to the user in a standardized set of reports or on-line forms (see column 5,

lines 62-64 of Klein).

16.   As per claim 6, Klein and Goldman et al. teach the method of claim 2, as described

above. Klein further teaches the method of receiving from a vendor one or more of approval,

comment and modification relating to the at least one audit claim, i.e. the user then determines

the number of errors contained in the sample and communicates this information to the database

auditor (see column 6, lines 24-26 of Klein).

17.   As per claim 7, Klein and Goldman et al. teach the method of claim 2, as described

above. Klein further teaches the method of receiving from a vendor a document relating to at

least one audit claim, i.e. any data entered into a database must come from an original source,

and validating the contents of a database means going to that source and double-checking the.

contents of the records selected for the sample with the original material (in order to perform an

audit, the original documents must have been received from an entity requesting the audit)(see

column 2, lines 36-41 of Klein).

18.   As per claim 9, Klein teaches the method of claim 8 as described above. However, Klein

does not explicitly teach the method of providing secure access via the Internet browser.

Goldman et al., however, does not teach the method of providing secure access to the at least one

audit claim and the one or more associated documents via an Internet browser, i.e. the present

invention provides a user authentication system that offers security of access even if a user

password or identification is stolen (see column 1, lines 36-40 of Goldman et al.). It would have

been prima facie obvious to one of ordinary skill in the art at the time of the invention to

incorporate this feature into the method of Klein. One of ordinary skill in the art would have

been motivated to incorporate this feature to reduce the amount of unauthorized entry (see

column 11, lines 36-37 of Goldman et al.).

19.   Claims 15-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Klein, U.S. Patent No. 5,404,509, in view of Quinn, U.S. Patent No. 5,944,786.

20.   As per claim 15, Klein teaches the computer-based system for web-based claim

processing in an audit comprising: (a) a database of electronic documents associated with the

audit, i.e. electronic images are available for the database records and the source material (see

column 6, lines 13-14 and 19-20 of Klein); (b) a claim manager that receives and processes an

audit claim associated with one ore more of the electronic documents, i.e. the database auditor

selects the sample to audit and presents the sample to the user (see column 5, lines 62-64 of

Klein), wherein the at least one audit claim comprises at least one of a claim type, a claim

amount, and a claim date, i.e. the audit list indicates the name of the audit file, the name of the

database that was audited, the date of the audit, and the overall accuracy of the result of the audit

(see column 12, lines 34-37 of Klein); (c) see below; and (d) wherein the claim manager

generates web pages presenting the audit claim and the associated documents for review and

processes inputs received through the webpage interfaces, i.e. in step 224, the user notes any

discrepancies on the audit summary screen where the audit summary screen is on-line (see

column 18, lines 51-54 and 68 and column 19, line 1 of Klein). In regards to step (c), Klein does

not explicitly teach the method of an e-mail server. However, Quinn does explicitly teach the

method of an e-mail server that generates a message notifying the accessibility of the audit claim

and the one or more of the documents via an Internet browser, i.e. the automatic e-mail

notification system provides for the automatic notification of an e-mail recipient of the presence

of e-mail in the recipient's e-mail box on a remote e-mail server where the e-mail server is

usually located at an Internet Service Provider (see abstract and column 4, lines 28-29 of Quinn).

It would have been prima facie obvious to one of ordinary skill in the art at the time of the

invention to incorporate this feature into the method of Klein. One of ordinary skill in the art

would have been motivated to incorporate this feature to become more efficient (see column 1, lines 22-24 of Quinn).

21.   As per claim 16, Klein and Quinn teach the system of claim 15 as described above. Quinn further teaches the method wherein the e-mail server sends the message to a claimant, i.e. the automatic e-mail notification system provides for the automatic notification of an e-mail recipient of the presence of e-mail in the recipient's e-mail box on a remote e-mail server (see abstract of Quinn, lines 1-4). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the method of Klein. One of ordinary skill in the art would have been motivated to incorporate this feature to become more efficient (see column 1, lines 22-24 of Quinn).

22.   As per claim 17, Klein and Quinn teach the system of claim 15 as described above. Quinn further teaches the method wherein the e-mail server sends the message to a claimant, i.e. the automatic e-mail notification system provides for the automatic notification of an e-mail recipient of the presence of e-mail in the recipient's e-mail box on a remote e-mail server (see abstract of Quinn, lines 1-4). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the method of Klein. One of ordinary skill in the art would have been motivated to incorporate this feature to become more efficient (see column 1, lines 22-24 of Quinn).

23.   As per claim 18, Klein and Quinn teach the system of claim 15 as described above. Klein further teaches the method wherein the web server is configured to receive at least one of approval, comment, document and modification associated with the audit from one of a claimant

and vendor, i.e. the user notes any discrepancies on the audit summary screen where the audit

summary screen is on-line (see column 18, lines 51-54 and 68 and column 19, line 1 of Klein).

24.   As per claim 20, Klein and Quinn teach the method of claim 18 as described above.

Klein further teaches the system comprising a viewer associated with the claim manager for

presenting the associated documents to remote viewers, i.e. where electronic images that

represent the source material for the records in a database are available, these images are

available on-line for the review process (see column 6, lines 13-16 of Klein).

25.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein, U.S.

Patent No. 5,404,509, in view of Quinn, U.S. Patent No. 5,944,786, as applied to claim 18 above,

further in view of Goldman et al., U.S. Patent No. 5,684,951.

26.   As per claim 19, Klein and Quinn teach the method of claim 18 as described above.

However, neither Klein nor Quinn explicitly teach a confidentiality level. Goldman et al.,

however, does explicitly teach a system wherein a confidentiality level is associated with the one

of approval, comment, document and modification, i.e. the present invention provides a user

authentication system that offers security of access even if a user password or identification is

stolen (see column 1, lines 36-40 of Goldman et al.). It would have been prima facie obvious to

one of ordinary skill in the art at the time of the invention to incorporate this feature into the

combined method of Klein and Quinn. One of ordinary skill in the art would have been

motivated to incorporate this feature to reduce the amount of unauthorized entry (see column 11,

lines 36-37 of Goldman et al.).

Response to Arguments

2.   In the remarks filed 8 May 2007, Applicant argues in substance that (1) Klein fails to

teach or suggest "identifying at least one audit claim"; (2) Klein fails to teach or suggest that an

audit claim comprises at least one of a claim type, a claim amount, and a claim date; and (3)

because Klein does not disclose this information, the 35 U.S.C. 103 rejections are invalid.

3.   In response to Applicant's argument (1), the Examiner respectfully submits that Klein

does in fact teach or suggest "identifying at least one audit claim." Since Applicant failed to

define an "audit claim", Examiner applies the broadest reasonable interpretation of this

terminology. As a result, Examiner interpreted an "audit claim" to be the identification of an

audit. Therefore, Examiner does not find any of Applicant's arguments regarding Klein to be

persuasive.

4.   In response to Applicant's argument (2), the Examiner respectfully submits that Klein

does teach or suggest that an audit claim comprises at least one of a claim type, a claim amount,

and a claim date. As can be shown in column 12, lines 34-37, Klein specifically mentions that

the audit list indicates the **name** of the audit file, the name of the database that was audited, the

date of the audit, and the overall accuracy of the result of the audit. Examiner notes that the

"name" of the audit file would indicate the "type" of audit. Examiner also notes that the "date"

of the audit is listed. Therefore, Examiner does not find any of Applicant's arguments regarding

Klein to be persuasive.

5.   In response to Applicant's argument (3), since Examiner has determined Applicant's

arguments (1) and (2) to be unpersuasive, Examiner also finds Applicant's argument (3) to also

be unpersuasive since it is founded upon the same reasoning.
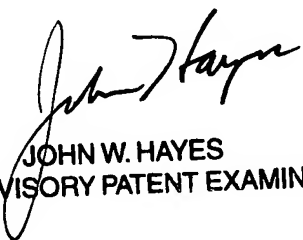
Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the date of this final

action.

8.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to David M. Kohut, Esq. whose telephone number is 571-270-1369.

The Examiner can normally be reached M-Th 730-5 w/1st Fri off. 2nd Fri 730-4.

9.   If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Joseph Thomas can be reached at 571-272-6776. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

10.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DMK
8/23/2007

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER